

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT TACOMA

7 MILAUDI KARBOAU,

8 Plaintiff,

9 v.

10 LOWELL CLARK, MACHOTTEN,  
11 GEORGE WIGGEN, JANSSEN  
12 SADLER, LEE JARMELIO, DALE  
13 SHELLY, PORTER, JOSE  
14 MONCIVAISE, ERIC SMITH,  
15 SNYDER, HAUBIEL, OSMAN  
16 KOUNTA, MACRATHER, DE GRAAFT,  
17 MCCURDY, PAT LOVE, ALICIA  
18 SINGLETON, S. STEVENSON, U.S.  
19 DEPARTMENT OF HOMELAND  
20 SECURITY, IMMIGRATION AND  
CUSTOMS ENFORCEMENT, ERIC H.  
HOLDER, JANET NAPOLITANO,  
NEAL KLARK, JAMES BOENING,  
SAN MEGUEL, MASON, DE LA PAZ,  
and FUENTES,

21 Defendants.

No. C12-5045 BHS/KLS

ORDER DENYING MOTION FOR  
ISSUANCE OF SUBPOENAS

22 Plaintiff Milaudi Karboau is currently detained at the Northwest Detention Center in  
23 Tacoma, Washington. Plaintiff has been granted leave to proceed *in forma pauperis* under  
24 separate order. ECF No. 8. Plaintiff's civil rights complaint is presently under review by the  
25 undersigned. *See Wong v. Bell*, 642 F.2d 359, 361 (9th Cir. 1981) (court "may act on its own  
26 initiative to note the inadequacy of a complaint and dismiss it for failure to state a claim" upon

1 which relief may be granted) (citing 5 C. Wright & A. Miller, Federal Practice and Procedure, s  
2 1357 at 593 (1969)). If the Court determines that the complaint is adequate, it will direct the  
3 Clerk to serve the complaint. *See* Fed. R. Civ. P. 4(c)(3) (requiring the court to order service of  
4 process “if the plaintiff is authorized to proceed in forma pauperis under 28 U.S.C. § 1915 . . .”).  
5 If the Court determines that the complaint is inadequate, the Plaintiff will be given an  
6 opportunity to show cause or to file an amended complaint before the Clerk is directed to serve  
7 the complaint. In either event, there is no need for the issuance of subpoenas.  
8

9 Accordingly, it is **ORDERED**:

- 10 (1) Plaintiff’s motion for the issuance of subpoenas (ECF No. 7) is **DENIED**.  
11 (2) The Clerk shall send a copy of this Order to Plaintiff.  
12

13 **DATED** this 17th day of February, 2012.  
14

15   
16 Karen L. Strombom  
17 United States Magistrate Judge  
18  
19  
20  
21  
22  
23  
24  
25  
26